

CITY COUNCIL
ATLANTA, GEORGIA

04-0-1297

AN ORDINANCE
BY: ZONING COMMITTEE

Z-04-67
6-8-04

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta, Georgia be amended and the maps established in connection therewith be changed so that the following property located at **480 John Wesley Dobbs Avenue, N.E.** be changed from the **C-1 (Community Business)** and **I-1 (Light Industrial)** Districts, to the **PD-MU (Planned Development-Mixed Use)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **46** of the **14th** District of **Fulton** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "PD Planned Development District," and Chapters 19A through 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Rhonda Daughlin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

October 4, 2004
October 8, 2004

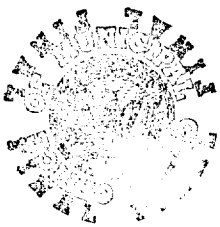
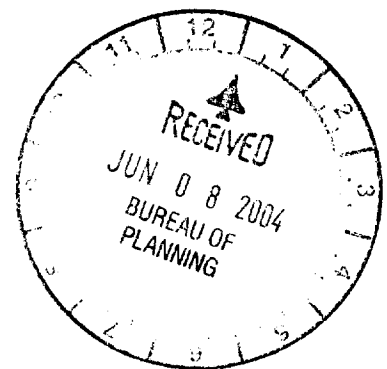


Exhibit "A"

Legal Description

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 46 of the 14th District, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin placed at the intersection of the northern right of way line of John Wesley Dobbs Avenue (f/k/a Houston Street) (R/W varies) and the western right of way line of Freedom Parkway, GA. SR. 10 (f/k/a Ramp "M" Stone Mountain Freeway and Georgia I-485) (R/W varies); thence along said northern right of way line the following courses and distances: South 89° 41' 13" West a distance of 238.70 feet to an iron pin placed; North 00° 18' 41" West a distance of 8.62 feet to an iron pin placed; South 89° 41' 13" West a distance of 51.00 feet to an iron pin placed; South 89° 41' 13" West a distance of 170.00 feet to an iron pin placed at the easterly end of a mitered intersection with the eastern right of way line of Boulevard (R/W varies); thence along said miter North 54° 26' 19" West a distance of 15.00 feet to an iron pin placed on the eastern right of way line of Boulevard; thence along said eastern right of way line North 00° 45' 55" East a distance of 131.41 feet to a brass disk found; thence leaving said eastern right of way line North 85° 30' 08" East a distance of 50.90 feet to an iron pin placed; thence South 87° 23' 09" East a distance of 119.13 feet to an iron pin placed; thence North 00° 27' 41" West a distance of 10.23 feet to an iron pin placed; thence South 88° 32' 20" East a distance of 224.60 feet to an iron pin placed; thence South 59° 30' 17" East a distance of 89.17 feet to an iron pin placed on the western right of way line of Freedom Parkway, GA. SR. 10 (f/k/a Ramp "M" Stone Mountain Freeway and Georgia I-485); thence along said right of way line South 00° 27' 52" West a distance of 104.05 feet to an iron pin placed at the intersection with the northern right of way line of John Wesley Dobbs Avenue (f/k/a Houston Street) and the POINT OF BEGINNING. Said tract containing 1.55 acres as shown on Survey for Fidelity National Title Insurance Company of New York and Candler Village I, LLC, dated February 28, 2004, prepared by Solar Land Surveying Company and bearing the Certification of John W. Stanzilis, Jr., GRLS #2109.

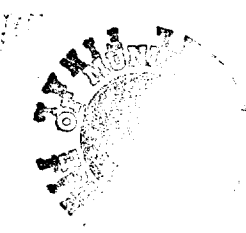


Z-04-67



Conditions for Z-04-67
480 John Wesley Dobbs Avenue, N.E.

1. Conditioned upon a site plan entitled "Freedom Village" prepared by Surber Barber Choate & Hertlen, dated June 8, 2004 and marked received by the Bureau of Planning July 28, 2004.
2. The project will have a maximum height of 8 stories on the North facade. The façade of the building facing John Wesley Dobbs Ave. (except for the portion of the building that also faces Boulevard) will have a maximum height of 4 stories. The Boulevard façade will have a maximum height of 6 stories.
3. The following minimum construction standards shall apply:
 - i. Exterior wall materials shall be limited to brick, stone, metal, concrete, wood, or cementitious siding, glass or hard coat stucco; provided, however, that the combined use of stucco on exterior walls shall be limited to no more than thirty percent (30%) of the total surface area. No vinyl siding shall be allowed.
 - ii. Exterior trim materials shall be limited to brick, stone, cementitious trim, wood, or metal.
 - iii. Windows shall be metal and/or wood.
 - iv. Driveways, walkways and ground level patios shall be constructed of concrete pavers, stamped concrete, brick pavers, or scored, broom finished concrete.
4. The project will include public sidewalks located along the public streets consisting of two (2) zones: a) a street furniture and tree planting zone immediately adjacent to the curb with a minimum width of five (5) feet and b) a clear zone immediately contiguous to the street furniture and tree planting zone with a minimum width of eight (8) feet. The clear zone shall be hardscaped for pedestrian traffic.
5. No freestanding building business identification signs will be allowed.
6. The project will be pedestrian-oriented and mixed-use with ground floor commercial uses on Boulevard and Live/Work units and/or ground floor commercial uses on John Wesley Dobbs Ave.
7. Street trees on Boulevard and John Wesley Dobbs Ave. will be planted 40 feet on center and will be a minimum of three inches in caliper measured thirty-six inches (36) inches above the ground and a minimum of twelve (12) feet in height.

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8. Decorative pedestrian lights shall be installed on Boulevard and John Wesley Dobbs Ave. in the street furniture and tree planting zone forty (40) feet on center. All said lights shall be Atlanta Type "C" as approved by the planning bureau.
 9. A maximum of three (3) curb cuts shall be permitted on John Wesley Dobbs Ave.
 10. There will be a pedestrian link from the project to the Freedom Park trail.
 11. There will be one bicycle/moped space for every five (5) residential units.
 12. Fenestration, including entrances, shall be provided for a minimum of seventy-five percent (75%) of the length of the ground level street frontages on John Wesley Dobbs Ave. and Boulevard.
 13. No perimeter fencing shall be installed at the property except as may be required by the Georgia Department of Transportation at their property boundary.
 14. Prior to receiving zoning approval of the final site plan from the bureau of buildings, the developer shall submit the site plan and elevations of the buildings as shown from each of the four property lines to the staff of the Urban Design Commission for review and comment on compliance of the site plan and elevations with the zoning conditions 1- 13 above. The staff shall provide their written comments to the developer within fifteen (15) business days of receiving the site plan and elevations.

RCS# 6112
10/04/04
4:23 PM

Atlanta City Council

Regular Session

04-O-1297

Z-04-67; 480 JOHN WESLEY DOBBS AVENUE
REZONE C-1 AND I-1 TO PD-MU
ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
NV Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	B Shook	B Maddox	Y Willis
NV Winslow	Y Muller	Y Sheperd	NV Borders

04-O-1297

04-0 -1297

(Do Not Write Above This Line)

AN ORDINANCE Z-04-67

BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE C-1 (COMMUNITY BUSINESS) AND I-1 (LIGHT INDUSTRIAL) DISTRICTS TO THE PD-MU (PLANNED DEVELOPMENT-MIXED USE) DISTRICT, PROPERTY LOCATED AT 480 JOHN WESLEY DOBBS AVENUE, N.E., FRONTING APPROXIMATELY 459.70 FEET ON THE NORTH SIDE OF JOHN WESLEY DOBBS AVENUE BEGINNING AT THE NORTHEAST CORNER OF BOULEVARD. DEPTH: VARIES; AREA: 1.518595 ACRES LAND LOT 46, 14TH DISTRICT, FULTON COUNTY, GEORGIA.
OWNER: CANDLER VILLAGE I, LLC
BY: GREGORY M. WOHL
APPLICANT: SAME
BY: SHARON A. GAY, ATTORNEY
NPU-M COUNCIL DISTRICT

OCT 04 2004

COUNCIL

- ☐ CONSENT REFER
☒ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 7/19/2004

Referred To: Zoning

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee Date 7/19/2004
Chair 2004
Referred To 2004

Committee Date 7/19/2004
Chair 2004

Action
Fav, Adv, Hold (see rev. side)
Other

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Date

Chair

Members

Members

Refer To

Refer To

Committee Date 7/19/2004
Chair 2004

Action
Fav, Adv, Hold (see rev. side)
Other

Date

Chair

Members

Members

Refer To

Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
OCT 04 2004

ATLANTA CITY COUNCIL PRESIDENT

Sharon A. Gay

MAYOR'S ACTION

MAYOR